



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF MENTAL HEALTH AND CHEMICAL DEPENDENCY PROFESSIONALS
MEETING DATE AND TIME:	Wednesday, February 24, 2010 at 12:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
MINUTES APPROVED	March 24, 2010

MEMBERS PRESENT

Dr. James Walsh, LPCMH, **President**, Presiding
Maynard Gregory, LCDP, **Vice President**
Vera Murrell, Public Member, **Secretary**
Dr. William Northey, LMFT
Tracy Hansen, LMFT
Lisa Ritchie, LPCMH
William Gale, LPCMH
Winnie Lewis, Public Member
Robert Doyle, Public Member
Clayton Yocum, Sr., Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Catherine Hickey, Deputy Attorney General
Shauna Slaughter, Administrative Specialist II

MEMBERS ABSENT

Daniel Cherneski, LMFT
Dean Aman, LPCMH
Mary Davis, LCDP

ALSO PRESENT

John Arick
Lorena Hartnett, Court Reporter, Wilcox & Fetzner

CALL TO ORDER

Dr. Walsh called the meeting to order at 12:12 p.m.

REVIEW OF MINUTES

MHCDP Meeting Minutes – December 9, 2009

The Board reviewed the December 9, 2009 meeting minutes for approval. Dr. Northey made a motion, seconded by Mr. Gregory, to approve the minutes as presented. Motion unanimously carried.

Committee Minutes – December 9, 2009

The Board reviewed the December 9, 2009 committee meeting minutes for approval. Dr. Northey made a motion, seconded by Ms. Ritchie, to approve the minutes as presented. Motion unanimously carried.

UNFINISHED BUSINESS

Sign Order on the Rule to Show Cause Hearing held October 28, 2009 for Janelle Evans

The board affixed their signatures to the Order on the rule to show cause hearing for Janelle Evans.

12:15 - Rule to Show Cause Hearing for John Arick

At 12:19 p.m., Ms. Hickey called the show cause hearing to order for John Arick. Verbatim testimony was taken by the court reporter. The Board introduced themselves for the record. Ms. Hickey stated the reason for the hearing and had the following items marked as board exhibits for the record: Board Exhibit 1 – The Board's August 26, 2009 Decision and Order; Board Exhibit 2 – August 26, 2009 Letter of Reprimand; Board Exhibit 3 - Notification of hearing letter and Certified mail receipt card; and Board Exhibit 4 - Packet of information submitted by Mr. Arick, reviewed December 9, 2009. Ms. Hickey verified with Mr. Arick that he waived his right to be represented by counsel. Mr. Arick was sworn, presented his case to the Board, and answered any questions they had. At 12:39 p.m., the Board went off the record for deliberations. At 12:40 p.m., the Board went back on the record. Mr. Gregory recused himself from the hearing. At 12:41 p.m., the Board went back off the record for deliberations. At 1:18 p.m., the Board went back on the record. Dr. Northey made a motion, seconded by Ms. Ritchie, to impose the following sanctions: Mr. Arick's license will be suspended until all of the following conditions are met - Mr. Arick must obtain supervision from a licensed professional who is licensed by the Delaware Board of Mental Health and Chemical Dependency, who is acceptable to the Board, and who has no dual relationship or vested interest in Mr. Arick; The supervisor must have documented training in supervision or a supervision credential; Mr. Arick must enter into a supervision contract with the supervisor, and the supervision contract must be forwarded to the board along with the supervisor's CV or resume, for the Board to review and approve; The supervision contract must include a remediation plan which includes professional development, ethics, and rules and regulations as well as the proposed length of supervision; The supervisor must provide quarterly reports to the Board; Upon satisfactory completion of supervision, the supervisor must submit a written assessment to the Board indicating that Mr. Arick is competent to practice; Mr. Arick will automatically be selected for audit during the 2010 and 2012 post renewal audits; and Mr. Arick must comply with all remaining conditions of the August 26, 2009 Order. Motion carried with Mr. Doyle and Mr. Yocum abstaining. The hearing concluded at 1:23 p.m.

Sign Order on the Rule to Show Cause Hearing held December 9, 2009 for Joseph Hicks

The board affixed their signatures to the Order on the rule to show cause hearing for Joseph Hicks.

Sign Order on the Propose to Deny Hearing held December 9, 2009 for Cornell Brunson

The board affixed their signatures to the Order on the propose to deny hearing for Cornell Brunson.

Review Draft of Proposed Regulation Changes

This item was tabled until the March meeting.

Review Joseph Hicks' Request for Approval of Supervisor to Provide Weekly Supervision

The Board reviewed a letter submitted by Mr. Hicks regarding his attempts to find supervision and two supervisors he is proposing to use. Dr. Northey made a motion, seconded by Mr. Gale, to deny the proposed supervisors. A discussion took place regarding whether the request could be denied since there was no supervision plan submitted, which is what the Board needs to review. Mr. Doyle made a motion, seconded by Mr. Gale, to table the previous motion since there was no supervision plan submitted. The motion carried with Dr. Northey opposed. Dr. Walsh will contact Mr. Hicks to discuss what he needs to submit for the Board to review.

Review Janelle Evans CE Documentation

The Board reviewed CE documentation that Janelle Evans submitted to make up the audit deficiency. The documentation that was submitted was two letters from people who provided Ms. Evans supervision during the 2006-2008 licensure period. Dr. Northey made a motion, seconded by Mr. Gale, to not accept the CE documentation provided, because receiving supervision is not an acceptable source of CE based on the Board's regulations. Motion unanimously carried.

NEW BUSINESS

Review Application for LPCMH Licensure by Certification – Christina Kane

The Board reviewed Christina Kane's application for LPCMH licensure by certification. Mr. Gale made a motion, seconded by Ms. Ritchie, to **table** the application because Ms. Kane has not been engaged in professional counseling for at least two years, with at least 3200 hours of post master's professional counseling experience as required by the Board's statute. Motion unanimously carried.

Review Application for LPCMH Licensure by Certification – Katherine Leckel

The Board reviewed Katherine Leckel's application for LPCMH licensure by certification. Ms. Ritchie made a motion, seconded by Mr. Gale, to **approve** the application. Motion unanimously carried.

Review of LMFT Applications to Sit for the AMFTRB Exam - Cynthia Chestnut

The Board reviewed Cynthia Chestnut's application to sit for the AMFTRB Exam. Dr. Northey made a motion, seconded by Ms. Hansen, to **approve** the application. Motion unanimously carried.

Review Application for LMFT Licensure by Reciprocity – Denise Darling

The Board reviewed Denise Darling's application for LMFT licensure by reciprocity. Ms. Hansen made a motion, seconded by Dr. Northey, to **approve** the application. Motion unanimously carried.

Review Request for Approval of Continuing Education Activities from McKissock

Dr. Northey made a motion, seconded by Ms. Lewis, to approve the following CE activities for McKissock as noted below:

Discovering Their Potential: Behavioral Development (4 hours)

Treating Children: Play Therapy in Practice (4 hours)
Mandated Reporting: An Ounce of Prevention (5 hours)

Discussion Regarding Retiring Counselors – Patty Murphy, DAG

This item was tabled until the March meeting.

Election of Officers

The Board tabled the elections until the next meeting to allow more members to be able to participate. Several members had already left today's meeting prior to getting to this agenda item.

Correspondence

There was no correspondence for review at this time.

Other Business (for discussion only)

There was no other business.

Public Comment

There was no public comment.

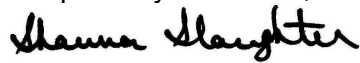
Next Meeting Date

The Board's next meeting is scheduled for March 24, 2010, at 12:00 p.m., in Conference Room A of the Cannon Bldg., 861 Silver Lake Blvd., Dover, Delaware.

Adjournment

Mr. Yocum made a motion, seconded by Mr. Gale, to adjourn. Motion unanimously carried. There being no further business before the Board, the meeting adjourned at 2:12 p.m.

Respectfully submitted,



Shauna Slaughter
Administrative Specialist II